	Case 3:08-cr-01197-LAB Doc	cument 16	Filed 05/22/2008	Page 1 of 2			
1	CANDIS MITCHELL California Bar No. 242797	ago <b>n</b> ig					
2 3	FEDERAL DEFENDERS OF SAN DIEGO, INC. 225 Broadway, Suite 900 San Diego, California 92101-5008						
4	Telephone: (619) 234-8467 Candis_Mitchell@fd.org						
5	Attorneys for Mr. Mohamed Miloudi						
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8	UNITED STATES DISTRICT COURT						
9	SOUTHERN DISTRICT OF CALIFORNIA						
10	(HONORABLE LARRY BURNS)						
11	UNITED STATES OF AMERICA,	)	CASE NO.: 08CR119	7-LAB			
12	Plaintiff,	)	) DATE: MAY 27, 2008 ) TIME: 2:00 P.M.				
13	v.	) )					
14	MOHAMED MILOUDI, NOTICE OF MOTIONS AND MOTIONS TO:						
15	Defendant.	) )	1) DISMISS CO MULTIPLICI	UNT TWO AS			
16 17		) ) )	2) DISMISS COU JURISDICTIO	UNT TWO FOR LACK OF ON BECAUSE 18 U.S.C. § NOT APPLY TO			
18		)	FOREIGN NA				
19		) )	,	GRAND JURY			
20		)	,	ODÚCTION GRAND SCRIPTS; AND,			
21		)	,	E INDICTMENT FOR OF MR. MILOUDI'S DUE			
22			PROCESS RI	GHTS.			
23	TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND						
24	REBECCA KANTER, ASSISTANT UNITED STATES ATTORNEY:						
25	PLEASE TAKE NOTICE that on May 27, 2008, at 2:00 p.m., or as soon thereafter as counsel may						
26	be heard, defendant, Mr. Mohamed Miloudi, by and through his attorneys, Candis Mitchell and Federal						
27	Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.						
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1	<u>MOTIONS</u>						
2	Defendant, Mohamed Miloudi, by and through his attorneys, Candis Mitchell and Federal Defenders						
3	of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal						
4	Procedure, and all other applicable statutes, case law, and local rules for an order to:						
5	(1) Dismiss Count Two as Multiplicitous;						
6	(2) Dismiss Count T	(2) Dismiss Count Two For Lack of Jurisdiction Because 18 U.S.C. § 1028A Does Not Apply					
7	to Foreign Nationals;						
8	(3) Dismiss the Indictment due to improper Grand Jury instructions;						
9	(4) Compel Production Grand Jury Transcripts; And,						
10	(5) Dismiss the Indictment for Violation of Mr. Miloudi's Due Process Rights.						
11	These motions are based upon the instant motions and notice of motions, the attached statement of						
12	facts and memorandum of points and authorities, the files and records in the above-captioned matter, and						
13	any and all other materials that may come to this Court's attention prior to or during the hearing of these						
14	motions.						
15		R	espectfully submitted,				
16		5/	Candis Mitchell				
17	Dated: May 22, 2008	C	CANDIS MITCHELL Federal Defenders of San Diego, Inc.				
18		A	ttorneys for Mr. Moha andis_Mitchell@fd.org	med Miloudi			
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